

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

SEP 14 2021

U.S. CLERK'S OFFICE
INDIANAPOLIS, INDIANA

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|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | Cause No. 1 : 21 -cr-, 278 JMS -TAB |
| v. |) | |
| |) | |
| MARTIN HERRERA-DIAZ JR., |) | -01 |
| SANDRA HERRERA, |) | -02 |
| JERZON HERRERA, |) | -03 |
| |) | |
| Defendants. |) | |

INDICTMENT

The Grand Jury charges that:

COUNT 1
18 U.S.C. § 1956(h)
Conspiracy to Launder Monetary Instruments

From on or about December 10, 2019 through on or about April 2, 2021, the exact dates being unknown to the Grand Jury, in the Southern District of Indiana and elsewhere, MARTIN HERRERA-DIAZ JR., SANDRA HERRERA, and JERZON HERRERA, defendants herein, did knowingly conspire together and with diverse other persons known and unknown to the Grand Jury to knowingly and intentionally conduct and attempt to conduct financial transactions, knowing that the property involved in the financial transactions represented the proceeds, in whole or in part, of a specified unlawful activity (that is, distribution of controlled substances), and knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity; in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i) and (h).

COUNT 2

21 U.S.C. § 841

Distribution of Controlled Substances

On or about January 7, 2021, in the Southern District of Indiana, JERZON HERRERA, defendant herein, knowingly and intentionally distributed a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 3

21 U.S.C. §§ 841 and 846

Attempted Possession with Intent to Distribute Controlled Substances

On or about January 21, 2021, in the Southern District of Indiana, MARTIN HERRERA-DIAZ, JR., defendant herein, knowingly and intentionally attempt to possess with the intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). In furtherance thereof, MARTIN HERRERA-DIAZ, JR. took the following substantial step: on January 21, 2021, MARTIN HERRERA-DIAZ, JR. traveled to a residence on Rothe Lane in Indianapolis, Indiana, and took possession of a parcel that had been shipped from California to the Rothe Lane address containing approximately 4,535 grams of methamphetamine; prior to its delivery to the Rothe Lane address, law enforcement had removed the bulk of the methamphetamine from the parcel, leaving only a representative sample of methamphetamine in the package.

All in violation of Title 21 United States Code, Sections 841 and 846.

FORFEITURE

1. Pursuant to Title 21, United States Code, Section 853, if convicted of the offenses set forth in Count Two or Three of the Superseding Indictment, the defendants shall forfeit to the United States any and all property constituting or derived from any proceeds the defendants obtained directly or indirectly as a result of the offense, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses.

2. The United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), and as incorporated by Title 28, United States Code, Section 2461(c), if any of the property described above in paragraph 1, as a result of any act or omission of the defendant:

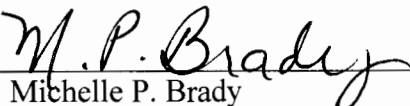
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

A TRUE BILL:


FOREPERSON

JOHN E. CHILDRESS
Acting United States Attorney

By:


Michelle P. Brady
Assistant United States Attorney